

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
In re: : Chapter 11  
:  
96 WYTHE ACQUISITION LLC, : Case No. 21-22108 (SHL)  
:  
Debtor. : **Re: Docket Nos. 632 & 651**  
:  
-----X

**AMENDED ORDER AUTHORIZING  
THE CHAPTER 11 TRUSTEE'S RETENTION OF  
A&G REAL ESTATE PARTNERS, LLC AND EASTDIL SECURED, LLC  
AS REAL ESTATE CO-BROKERS TO INCREASE THEIR EXPENSE CAP**

This Court having entered an Order dated August 12, 2022, authorizing Stephen S. Gray, not individually but solely in his capacity as the chapter 11 trustee (the "Trustee") in the above-captioned chapter 11 case (the "Chapter 11 Case") to retain and employ A&G Real Estate Partners, LLC ("A&G") and Eastdil Secured, LLC ("Eastdil") as his real estate co-brokers (together, the "Co-Brokers") [Docket No. 651] (the "Retention Order"), which provided, among other things, an expense reimbursement cap of \$50,000 (the "Expense Cap");<sup>1</sup> and the Co-Brokers having advised the Trustee that due to their robust marketing efforts their expenses will exceed the Expense Cap and have therefore request that it be increased by \$10,000; and the Trustee, after consultation with, and with the consent of, the Secured Lender, having agreed to the requested increase; and this Court having jurisdiction to consider the relief requested pursuant to 28 U.S.C. §§ 157 and 1334; and venue of this Chapter 11 Case in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that proper and adequate notice of

---

<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the *Chapter 11 Trustee's Application for an Order Authorizing the Retention and Employment of A&G Real Estate Partners, LLC and Eastdil Secured, LLC as Real-Estate Co-Brokers* [Docket No. 632] (the "Application").

the relief requested herein has been provided in accordance with the Bankruptcy Rules, Local Rules, and any applicable orders entered in this Chapter 11 Case, and no other or further notice is necessary; and any objections to the relief requested having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT:**

1. The Retention Order is hereby amended to increase the Expense Cap to \$60,000.
2. All other provisions of the Retention Order remain in full force and effect.

DATED: White Plains, New York  
December 20, 2022

/s/ Sean H. Lane  
HONORABLE SEAN H. LANE  
UNITED STATES BANKRUPTCY JUDGE

**NO OBJECTION:**

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE  
By:

/s/ Greg Zipes  
GREG M. ZIPES, ESQ.  
TRIAL ATTORNEY